

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JONATHAN A. TORRES,

Plaintiff,

v.

TIMOTHY FILSON, *et al.*,

Defendants.

Case No. 3:18-cv-00481-MMD-CLB

ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE
CARLA L. BALDWIN

Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin recommending that this case be dismissed for Plaintiff Jonathan A. Torres’ failure to comply with LR IA 3-1.¹ (ECF No. 13.) In light of Plaintiff’s failure, it is no surprise that he has not filed an objection to the R&R, although he had until June 15, 2020, to do so. The Court will adopt the R&R and dismiss this case.

This Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory Committee Notes

¹Local Rule 3-1 provides:

An attorney or pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number . . . Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.

1 (1983) (providing that the court “need only satisfy itself that there is no clear error on the
2 face of the record in order to accept the recommendation”).

3 The Court finds it unnecessary to engage in de novo review to determine whether
4 to adopt Judge Baldwin’s R&R and is satisfied that there is no clear error upon reviewing
5 the docket. Plaintiff was advised that failure to file a notice of change of address as
6 required by LR IA 3-1 by May 29, 2020, would result in dismissal of this case. (ECF No.
7 13 at 1.) That date has passed, and Plaintiff has provided no such notice. The Court
8 therefore agrees with Judge Baldwin in the R&R that dismissal of this action is warranted
9 under LR IA 3-1. *See also Thompson v. Hous. Auth. of City of L. A.*, 782 F.2d 829, 831
10 (9th Cir. 1986) (recognizing that district courts have the inherent power to control their
11 dockets and “[i]n the exercise of that power, they may impose sanctions including, where
12 appropriate . . . dismissal” of a case); *Malone v. U.S. Postal Serv.*, 833 F.2d 128, 130 (9th
13 Cir. 1987) (dismissing case for failure to comply with court order).

14 It is therefore ordered, adjudged, and decreed that the Report and
15 Recommendation of Magistrate Judge Carla L. Baldwin (ECF No. 13) is accepted and
16 adopted in full.

17 It is further ordered that this case is accordingly dismissed and the pending motion
18 (ECF No. 1) is denied as moot.

19 The Clerk of the Court is directed to enter judgment accordingly and close this case.

20 DATED THIS 24th day of June 2020.

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23 MIRANDA M. DU
24 CHIEF UNITED STATES DISTRICT JUDGE
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